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WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION

PAUL B. STEPHEN #316085

v.

BURL CAIN

\* CIVIL ACTION NO. 2:15 -CV-02458  
\* SECTION P  
\*  
\*  
\* JUDGE MINALDI  
\*  
\*  
\* MAGISTRATE JUDGE KAY  
\*

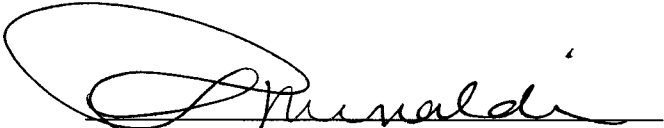
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**ORDER**

Before the court is the petitioner's application for a Certificate of Appealability (Rec. Doc. 28) to appeal the Judgment Adopting the Magistrate Judge's Report and Recommendation (Rec. Doc. 18). The court does not find "that reasonable jurists could debate whether (or, for that matter, agree that) the petition should have been resolved in a different manner or that the issues presented [are] adequate to deserve encouragement to proceed further." *Miller-El v. Cockrell*, 537 U.S. 322, 336 (2003) (internal quotations and citation omitted). Accordingly,

**IT IS ORDERED** that the Certificate of Appealability is **DENIED** under 28 U.S.C. § 2253 because the petitioner has not made "a substantial showing of the denial of a constitutional right."

Lake Charles, Louisiana, this 26 day of Oct, 2016.

  
PATRICIA MINALDI  
UNITED STATES DISTRICT JUDGE